

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW JERSEY

STEPHEN D. PRYSTOWSKY, ERIC N. PRYSTOWSKY AND MICHAEL PRYSTOWSKY, the Executors of the Estate of Dr. Milton Prystowsky, and STEPHEN D. PRYSTOWSKY AND ERIC N. PRYSTOWSKY, the Executors of the Estate of Dr. Rose Prystowsky

v.

TGC STORES, INC., et al.

Civil Action No. 2:07-cv-00072-SDW-MCA

**RESPONSE BY PLAINTIFFS,
STEPHEN D. PRYSTOWSKY, ERIC N. PRYSTOWSKY AND MICHAEL PRYSTOWSKY, IN OPPOSITION TO
MOTION BY DEFENDANT, ADT
SECURITY SERVICES, INC., FOR
STAY OF PROCEEDINGS**

MOTION DAY MAY 16, 2011

Plaintiffs, Stephen D. Prystowsky, Eric N. Prystowsky and Michael Prystowsky, the Executors of the Estate of Dr. Milton Prystowsky, and Stephen D. Prystowsky and Eric N. Prystowsky, the Executors of the Estate of Dr. Rose Prystowsky, by and through their attorneys White and Williams, LLP, hereby respond in opposition to the Motion by Defendant, ADT Security Services, Inc., for Stay of Proceedings.

No brief is necessary, as Plaintiffs have already addressed the issues raised by Movant in their Brief filed in Support of their Response in Opposition to the Motions by Defendant, Pride Mobility Products Corp., and by Third-Party Defendants, Dewert Motorized Systems, Inc. and Phoenix Mecano, Inc., for 28 U.S.C.

§ 1292(b) Certification and Stay of Proceedings, which Plaintiffs hereby incorporate as if fully set forth at length herein. No stay is warranted, because the Motions by Defendant, Pride Mobility Products Corp., and by Third-Party Defendants, Dewert Motorized Systems, Inc. and Phoenix Mecano, Inc., are without merit.

WHEREFORE, Plaintiffs, Stephen D. Prystowsky, Eric N. Prystowsky and Michael Prystowsky, the Executors of the Estate of Dr. Milton Prystowsky, and Stephen D. Prystowsky and Eric N. Prystowsky, the Executors of the Estate of Dr. Rose Prystowsky, respectfully request that the Motion be denied.

Respectfully submitted,

WHITE AND WILLIAMS LLP

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Attorneys for Plaintiff, Dr.
Milton Prystowsky, in his own
right and as Executor of the
Estate of Rose Prystowsky

Date: May 4, 2011

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STEPHEN D. PRYSTOWSKY, ERIC	:	
N. PRYSTOWSKY AND MICHAEL	:	Civil Action No. 2:07-cv-
PRYSTOWSKY, the Executors of	:	00072-SDW-MCA
the Estate of Dr. Milton	:	
Prystowsky, and STEPHEN D.	:	
PRYSTOWSKY AND ERIC N.	:	O R D E R
PRYSTOWSKY, the Executors of	:	
the Estate of Dr. Rose	:	
Prystowsky	:	

v.

TGC STORES, INC., et al.

In consideration of the Motion by Defendant, ADT Security Services, Inc., for Stay of Proceedings, and the Response in Opposition thereto by Plaintiffs, Stephen D. Prystowsky, Eric N. Prystowsky and Michael Prystowsky, the Executors of the Estate of Dr. Milton Prystowsky, and Stephen D. Prystowsky and Eric N. Prystowsky, the Executors of the Estate of Dr. Rose Prystowsky, it is hereby ORDERED that the Motion is DENIED.

BY THE COURT:

Susan D. Wigenton, U.S.D.J.

CERTIFICATE OF SERVICE

I, Deborah A. Crinigan, certify that on May 4, 2011, I served a copy of the Response By Plaintiffs, Stephen D. Prystowsky, Eric N. Prystowsky and Michael Prystowsky, In Opposition to the Motion by Defendant, ADT Security Services, Inc., for Stay of Proceedings upon the following counsel by Electronic Case Filing:

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and Stephen D. Prystowsky and Eric N.
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Estate of Dr. Rose Prystowsky